



## PUBLIC NOTICE OF DESIGNER SELECTION

### Designer Selection Board

One Ashburton Place, Room 1004, 10th Floor | Boston, MA | 02108  
Telephone: 617-727-4046 | [www.mass.gov/dsb](http://www.mass.gov/dsb)

**DSB List#:** 19-22

**Notice Date:** June 5, 2019

**Submission Deadline:** June 26, 2019 At 2:00 PM

**Project Number:** TRC1909 ST1

**Project Title:** Lynn DC - Renovation/Stabilization of Courthouse

**Project Location:** 580 Essex Street, Lynn, MA 01901

**Awarding Agency:** Division of Capital Asset Management and Maintenance (DCAMM)

**Available Amount:** \$30,000,000 to \$40,000,000

**Estimated Construction Cost:** \$21,000,000 to \$28,000,000

**Fee for Draft Study:** \$360,000

**Fee for Schematic Design & Certifiable Study:** To be Negotiated

**Final Design** To be Negotiated

#### Contract Type:

☒ Study & Design

#### Immediate Services Authorized:

☒ Draft Study

It is intended that the following continued services will be required of the selected Designer following fee negotiation and contract amendment.

☒ Schematic Plans and Outline Specifications

☒ Certifiable Building Study

#### Prime Firm Requested:

☒ Architect

☐ Landscape Architect

☐ Engineer

☐ Interior Designer

☐ Programmer

☐ Construction Manager

☐ Other:

It is intended that the following continued services will be required of the selected Designer following completion of the certified study and notification of the Board in accordance with M.G.L. c. 7C.

☒ Design Development Plans and Specifications

☒ Construction Plans and Specifications

☒ Administration of Construction Contract

☐ Other:

## AGENCY INFORMATION

The Division of Capital Asset Management and Maintenance (DCAMM) seeks to procure professional services from a design firm with broad experience in planning, certifiable building studies and design and construction, in order to support DCAMM's mission involving capital asset management and facilities maintenance of public buildings in the Commonwealth. DCAMM is responsible for strategic planning and technical analysis to support decision making related to aspects of programming, building studies and all phases of design and construction.

As part of a significant initiative for the Commonwealth's courthouse facilities, DCAMM is seeking a Design Team to determine the most effective strategy to address capital improvement needs for the Lynn District Court (DC) facility, along with the site's potential capacity to serve a greater function for court services within Essex County. In collaboration with the Executive Office of the Trial Court (TRC), DCAMM will manage the work of the Prime Consultant to prepare a certifiable building study for improvements to the Lynn courthouse.

## PROJECT OVERVIEW

In 2017, the TRC, working in collaboration with DCAMM, completed the Courts Capital Master Plan (CCMP), which incorporated a data-based approach to identify facility needs in courthouses throughout the State. In the CCMP, Lynn DC was designated as one of the priorities for modernization in Phase I of implementation. The CCMP, which was developed initially without any funding constraints, recommended completing a major expansion of the DC, estimated at \$95 million, to upgrade the existing facility and provide an addition to consolidate the Lynn Juvenile Court (JC) (currently in leased space) with the District Court. This plan is not realizable, given capital spending constraints across the Commonwealth, so the TRC worked with DCAMM to revise the capital recommendations. As a result, a "Phase 1A" was developed to prioritize implementation of critical repairs of court facilities state-wide, of which up to \$40 million was identified for Lynn DC to complete upgrades for life-safety, MEP systems, holding cells and security upgrades, among other critical repairs to the facility. Additional operational and programmatic upgrades will also be assessed through the study, to improve the functionality of the courthouse.

This certifiable study for the Lynn DC will advance these recommendations, develop strategic and cost-effective solutions to address immediate facility needs and explore options for consolidation of the JC into the DC facility juvenile court. The study will also consider non-capital solutions to identified programmatic issues, including but not limited to use of technology, such as video-conferencing and on-line services, and re-organization of departments, among other initiatives, in order to advance efficiency of space planning and overall operations.

The study is expected to have multiple tasks, divided into two phases:

### STUDY PHASE (*Immediate services authorized*)

- **Work Plan & Stakeholder Engagement Plan:** determine an approach to conducting the study, which includes a stakeholder involvement process;
- **Existing Facility Conditions Assessment:** assess existing facility conditions and identify all infrastructure improvements needed.
- **Court Operations Analysis:** Evaluate court operations, documenting all utilization data, programmatic and functionality, security, and accessibility issues.
- **Juvenile Court Analysis:** Evaluate existing juvenile court (currently in leased facility) and identify issues and long-term space and operational needs for the department.
- **Alternatives Analysis:** develop and test alternatives for both existing building upgrades and potential additions to the building to address both existing programmatic needs of the DC department and consolidation of JC at this site.
- **Preferred Alternative:** prepare plans and narrative summarizing the preferred alternative to address infrastructure and programmatic needs, including scope of work, program adjustments, cost estimates and an implementation plan;
- **Draft Study Report:** create a detailed report documenting the process, including all above background information and analyses, site assessment(s), and improvement recommendations.

### SCHEMATIC DESIGN / CERTIFIABLE BUILDING STUDY PHASE (fee to be negotiated)

- **Schematic Design Documents:** Complete set of schematic-level design documents for the preferred alternative for improvements at Lynn DC;
- **Final Report:** complete a study that may be certified in accordance with M.G.L. c. 7C ss. 59 and 60 (Certifiable Building Study), compiling the above tasks.

The project will include study services initially, with the intent to continue to schematic design and a Certifiable Building Study. Following study certification, the work may proceed to design development, construction documentation and construction administration services for the recommended option, using a CM at Risk process.

**Due to the significant backlog of deferred maintenance at courthouses state-wide, and constraints on the capital funding available for this project, it is essential that the selected Design Team for the Lynn DC project explore and prioritize creative solutions during the study phase—with alternatives that are innovative, sustainable and cost effective.**

### Project Context

The Commonwealth faces a major challenge to address a significant backlog of deferred maintenance in buildings and infrastructure. With a portfolio of state-owned facilities totaling over 66 million square feet (of which the courts comprise approximately 5.6 million square feet), the backlog at all facilities amounts to over \$10 billion. This situation requires a strategic approach to prioritize maintenance and modernization, targeting investments in new or expanded facilities only when it is both fiscally prudent and augments opportunities system-wide.

For the Massachusetts State Court system, a primary focus is to provide dignified facilities that reinforce the civic realm. Funding constraints necessitate comprehensive, cost-effective and resource-efficient solutions for capital needs, from both physical and operational perspectives, in order to maximize flexibility and efficiency across the portfolio. Therefore, it is essential that the design team for the study of the Lynn DC produce a cost-effective plan that effectively balances aesthetics, functionality and sustainability for the site and its context within the overall court system.



*Site context of Lynn District Court, 580 Essex Street, Lynn, MA.*

### Background Information

Lynn DC is a State-owned building of approximately 40,875 square feet, constructed in 1972, located on a .95-acre site at 580 Essex Street in Lynn, MA. Since its construction, the building has only received minor improvements and upgrades. The court is considered high volume, operating four courtrooms and two hearing rooms for the District Court, and in 2017 had 20,170 filings; case filings were 31,350 in 2015. The CCMP identified critical needs for the facility, which shall be evaluated further as part of this study, including:

- envelope and structural repairs
- HVAC system upgrades
- security system upgrades
- accessibility upgrades
- cross circulation issues that result from shared paths of travel (for staff, detainees and the public), space deficiencies and operational issues.



*Lynn District Court*

## Goals

As DCAMM and the TRC implement improvements identified in the CCMP, the agencies have developed goals to guide the process. All future courthouse projects, regardless of scope and scale, shall build upon current best practices in courthouse design and operations, and include the following parameters to influence design and construction.

### Create Safe & Accessible Facilities

- Implement universal design standards for use of the facility by the public, staff, and detainees, regardless of status or ability;
- Understand evolving best practices in courthouse design (e.g. trends in courthouse design/operation, sight and sound standards, line of sight, etc.), and ensure best practices are incorporated into the overall design;
- Implement solutions that will make facilities more resilient;
- Prioritize improvements that increase access to courthouses via public transportation.

### Create Flexible Program Spaces

- Determine necessary program components for a contemporary courthouse;
- Meet or exceed benchmarks and national best practices for the size and design of courtrooms and support spaces;
- Create a program with an efficient courtroom utilization rate, based on best practices;
- Utilize scheduling and an understanding of operations to share support spaces;
- Allow for the adaptive re-use of spaces as programs shift to accommodate technological transformations.

### Design Quality & Civic Presence

- Programming of spaces will accommodate a civic presence, consistent with the character of a modern courthouse;
- Programming and design will respond to the physical context of the surrounding buildings, and incorporate best practices in site planning and urban design; design of the facility and open spaces will aim to contribute to the urban design and civic infrastructure of the community;
- Design of the facility will emphasize energy efficiency, including building systems and life cycle analysis.

### **Balance Sustainability, Cost Control, Function & Maintenance**

- Design a facility that meets the needs of a modern courthouse, while also emphasizing function and efficiency;
- Employ creative and practical strategies to analyze building systems and assemblies that are cost effective; understand potential tradeoffs, and prioritize solutions that balance function with aesthetic value;
- Prioritize materials that are long-lasting, easy to maintain, and have performed well in other courthouses over a long duration of time.

### **Prioritize Operational Solutions & Implement Technological Transformations**

- Share resources: review facilities to understand operations, efficiencies and sharing/consolidation opportunities;
- Explore adjustments in scheduling and organization to improve court operations;
- Determine existing courtroom utilization, and aim to increase operational efficiency;
- Design for a transition to electronic filing and case processing;
- Accommodate the digital presentation of evidence in courtrooms;
- Implement real-time language translation;
- Transition to a digital file storage system and reduce physical space for file storage.

### **Design Excellence**

This is an important project for the Commonwealth and is expected to achieve a high level of design excellence. DCAMM has identified the following parameters as essential components of this study and design effort:

- An exemplary architectural outcome that fosters a sense of civic responsibility and the ideals of restorative justice, and a site design that respects the context of the surrounding area and reinforces the public realm;
- A facility that demonstrates best practices in courthouse planning, design and operational efficiency, including state-of-the-art building systems, and spaces that emphasize function, maintainability and sustainability;
- An integrated-service design team to comprehensively address inter-related programmatic, aesthetic, technical and fiscal aspects of the project;
- A reflection of the Commonwealth's commitment to better stewardship of the State's assets through enhanced facilities management and maintenance, by accounting for operating costs, operational and maintenance efficiency, energy conservation and enhanced resilience in the face of climate change.

## **SCOPE OF WORK**

This project involves an assessment of the existing building and programs in order to develop strategic and cost-effective solutions to address immediate facility needs, and explore options for consolidation of the JC into the DC facility. The assessment will consider non-capital solutions to identified programmatic issues, including but not limited to use of technology, such as video-conferencing and on-line services and re-organization of departments, among other initiatives, in order to advance efficiency of space planning and overall operations. The analysis and associated recommendations will culminate in a certifiable study report, including schematic design documents.

The study is expected to have multiple tasks over two phases—the Study Phase, and the Schematic Design / Certifiable Building Study Phase. The tasks identified below are representative for the purposes of this advertisement and are not fully inclusive.

### **STUDY PHASE**

#### **Task 1- Project Start Up, Work Plan & Stakeholder Engagement Plan**

##### Project Start Up:

- Attend a DCAMM Administrative Conference to review all project requirements and administrative and project management policies, procedures and protocols.

- Conduct a Study Conference with DCAMM and TRC to review project goals and objectives, the planning process, schedule of milestones, facility opportunities and constraints, information and data requirements, etc.
- Review relevant past studies and reports about the Lynn DC facility.
- Participate in a site visit to the Lynn DC and Lynn JC.

#### Work Plan:

Following contract signing and the Study Conference, the Prime Consultant will work with DCAMM to prepare a Work Plan, identifying team responsibilities and documenting the scope of work to complete the required tasks and deliverables. The Work Plan will establish project goals and objectives, describe tasks, deliverables, project schedule, and the project fee.

#### Stakeholder Engagement Plan:

In addition to DCAMM and TRC participants, other key stakeholders in the Study will include the Chief Justice and the Courts Administrator, and leadership staff at the Lynn DC and Lynn JC, as well as other parties to be identified. The Prime Consultant will establish a process for stakeholder engagement throughout the study, detailing timelines and topics for project meetings and milestones. Interviews and workshops, as needed, should be held at applicable stages to gain input and feedback from a larger stakeholder groups.

#### *Task 1 Deliverables:*

- Meeting notes from the Administrative Conference and the Study Conference;
- Work Plan
- Stakeholder Engagement Plan

#### **Task 2- Existing Facility Conditions Assessment**

The Design Team will review all background documentation of the Lynn DC facility, compiled by DCAMM and the TRC, conduct field inspections to assess existing building conditions and utility systems on and serving the site, and prepare a Facilities Conditions Analysis (FCA) to create a prioritized list of all infrastructure improvements needed.

- Review all prior/relevant studies of the Lynn DC facility, as well as interview facilities staff and obtain documentation of completed building improvements. Following the review of documentation, the Design Team will identify any missing/needed information related to existing conditions and work with DCAMM to identify necessary steps to obtain the information in a timely manner.
- Through field inspections, further assess the physical conditions and complete an FCA for the Lynn DC facility, which includes a detailed Chapter 34 code evaluation. The FCA shall detail all relevant deficiencies or concerns, prioritize the improvements based on life cycle considerations, life safety concerns, energy, resiliency and vulnerability considerations, and utility systems on and serving the site, among other relevant criteria. Order of magnitude costs for the upgrades and potential operating cost impacts shall be prepared.
- An accessibility assessment will be completed by DCAMM for the Design Team to incorporate into the FCA. DCAMM, or its Accessibility Consultants, will provide technical assistance and review of both study and, in later phases, design documents, and the Designer will be responsible for addressing all issues raised by the Accessibility team and preparing cost estimates for implementation.
- The FCA shall detail necessary improvements to meet current standards for sustainable energy and environmental resiliency, in accordance with Executive Order 484 and the Massachusetts Energy Code. The assessment shall evaluate how energy upgrades inform building design considerations and reduce energy consumption and costs. As part of the assessment, existing and target energy use intensity (EUI) metrics shall be developed by the design team for the building. Climate change resiliency tools will be provided by DCAMM to facilitate the assessment process. The assessment will include working with the DCAMM Energy and Sustainability Team and Lynn DC facility and maintenance staff for input on condition, use and operation of the building, including review of operations and maintenance procedures, to identify areas of potential improvement and alignment with current best practices.

#### *Task 2 Deliverables:*

- Facility Conditions Assessment – Prepare an Existing Conditions Report including a master list/project matrix, identifying the critical and high priority items, and proposed alternative solutions for completing the upgrades, including cost estimates and anticipated completion time frames

### **Task 3 - Court Operations Analysis**

The Design Team shall work with DCAMM, the Courts Strategic Planner and key stakeholders to evaluate court operations, documenting all programmatic and functionality, security, accessibility issues and evaluate measures to improve functionality and efficiency. Several workshops with key stakeholders will be organized to explore all potential operational changes to enhance functionality and efficiency.

- Review all programs and services currently provided by the Lynn DC, including cases filed, number of judges assigned, courtroom sessions, and detailed utilization analysis of all existing spaces in order to document and assess existing operations.
- Review caseload volumes and trends for programs and services in order to evaluate future space needs against current space utilization, including, but not limited to, court sets, judiciary, transaction offices, staffing, court support, supplemental operations, and others.
- Create a tabular space program, expressed in net square feet with net to gross ratios and gross square feet requirements, that compares existing conditions, projected space needs and “right-sized” conditions, based on current trends and industry standards for new courthouse projects.
- It is essential that the program evaluation incorporate best practices in courthouse design, which may include elements such as reduced or shared use of court functions and spaces, technological transformations, design strategies for implementing justice trends, and other initiatives. The best practices shall be used to build upon proven techniques to incorporate technology and sustainability to optimize efficiency in operations and energy conservation. As part of this evaluation, the Design Team shall research and present national models to illustrate courthouse operational advancement.
- Conduct workshops with key stakeholders to identify and prioritize operational changes to enhance functionality and efficiency.
- Identify short term improvements including cost-effective measures to address immediate space needs, such as storage and technology improvements to enable more effective use of existing spaces.
- Prepare an Operations Analysis summary that justifies program needs detailed in the preliminary tabular program.

#### *Task 3 Deliverables:*

- Courts Operations Analysis
- Workshop materials for all meetings, including presentations and meeting minutes.

### **Task 4 – Juvenile Court Analysis**

The purpose of this task is to evaluate existing juvenile court operations (currently in leased facility) and identify issues and long-term needs for the department.

- Review all programs and services currently provided at the Lynn JC, including cases filed, number of judges assigned, courtroom sessions, detailed utilization analysis of existing spaces, etc., to document existing operations and space utilization.
- Review projected caseload volume and trends for program and services to evaluate future space needs, including, but not limited to, court sets, judiciary, transaction offices, staffing, court support, supplemental operations, and others.
- Prepare a tabular space analysis, broken down by individual functional areas expressed in net square feet with net to gross ratios and gross square feet requirements, right-sized space requirements for the requisite required spaces, and proposed options where shared spaces resulting from operational efficiencies could reduce overall space needs. Prepare adjacency diagrams and stacking diagrams.



#### *Task 4 Deliverables:*

- Lynn JC Analysis

#### **Task 5 - Alternatives Analysis**

Develop and test alternatives for both existing building upgrades and potential additions to the building to address both existing programmatic needs of the DC department and consolidation of JC at this site.

- Develop alternatives (up to three) for upgrades to building systems and space accommodations for the Lynn DC, including scope of work, space program, space stacking diagrams, room layout diagrams, cost estimates with life cycle analysis for each of the design alternatives, and implementation schedule including details of swing-space needs, either on- or off-site, to accommodate construction while maintaining current operations.
- Evaluate the DC's site capacity for expansion to accommodate JC, including impacts for parking and circulation, site development opportunities and constraints, and develop alternative design concepts (up to three) for an addition with order of magnitude costs, and implementation schedule including details of swing-space needs, either on- or off-site, to accommodate construction while maintaining current operations.
- Alternatives shall also evaluate options based on technological innovations and ease of adaptability to changing needs, as well as sustainable approaches and environmental impact, universal design goals and achievement of design objectives.
- Complete an assessment of commissioning, including a preliminary evaluation by a third-party commissioning agent (engaged by DCAMM). The commissioning agent will complete a brief, planning-level review of the alternatives; this may occur in a workshop setting in accordance with the development of the Owners Project Requirements (OPR).
- Recommend potential options to reconcile preliminary costs with project budget for review by DCAMM and Trial Court.

#### Global Workshop

A Global Workshop, led by the Design Team, should take place following the completion of design alternatives; all project participants and interested parties will be given a chance to comment on all the alternatives, and to contribute to recommendations for the building concepts for further development.

#### *Task 5 Deliverables:*

- Alternative design concepts with summary narratives, cost estimates and schedules
- Global workshop materials, including presentations and meeting minutes.

#### **Task 6 - Preferred Alternative**

Based upon input received during stakeholder reviews and the Global Workshop, the Design Team shall develop a preferred alternative and prepare plans and narrative summarizing the preferred alternative to address infrastructure and programmatic needs, including scope of work, program adjustments, cost estimates and an implementation plan. The preferred alternative will be further developed in schematic design. The documentation for the preferred alternative shall include the following:

- Final space programs, including complete tabular programs listing all spaces, relationship diagrams depicting important adjacencies and detailed information about the requirements of each space, and finalized room data sheets;
- Detailed cost estimate in Uniformat;
- Implementation plan addressing schedule, phasing, permits, regulatory reviews, and other requirements such as compliance with Executive Order 484 and provisions for addressing environmental and community impacts, and submittals to regulatory agencies or organizations.
- The schedule and cost budget should identify the need for swing space and other enabling needs to maintain continuous operations of the DC.



#### *Task 6 Deliverables:*

- Detailed recommended scope of work
- Pre-schematic architectural design set including conceptual plans, exterior elevations and 3D views of key interior spaces;
- Building code analysis and report;
- Accessibility compliance in collaboration with DCAMM and its Accessibility Consultant;
- Equipment list and performance requirements;
- M/E/P Systems narrative report of recommended systems and alternatives;
- Detailed Cost Estimate in Unifomat II / Level 3;
- Permitting / regulatory reviews with associated timelines for each;
- Implementation plan addressing schedule, phasing, permits and other requirements such as compliance with Executive Order 484 and provisions for addressing environmental and community impacts, submittals to regulatory agencies, including, but not limited to, the local Conservation Commission, the Massachusetts Environmental Policy Act (MEPA), and other relevant agencies or organizations.

#### **Task 7 - Draft Study Report**

The Draft Study Report will include final compilation and applicable updates to the products of Tasks 2-6 for review. Draft documentation of the study process shall include all drawings, tables, charts and narrative required to record decisions and support the recommendations.

#### *Task 7 Deliverables:*

- Draft Study Report is expected to be a professional, detailed report that includes all of the analyses, findings, and relevant background information compiled from tasks 2-6, which will serve as the basis for design. Documents are required to be submitted in hard copy and electronic formats acceptable to DCAMM.

#### **SCHEMATIC DESIGN PHASE & CERTIFIABLE BUILDING STUDY PHASE**

***The fee associated with Task 8 and 9, Schematic Design Documents and Certifiable Building Study Report, will be negotiated during the study phase, following the determination of the final scope of work to be completed and the estimated construction cost. The Prime Consultant's contract will be amended to incorporate the Schematic Design fee and scope for this phase of work.***

#### **Task 8: Schematic Design Documents**

The Design Team will prepare and submit a Schematic Design package in full compliance with the DCAMM's Designer Procedures Manual. Tasks under the Schematic Design Phase will include, but not be limited to, the following:

- Coordinate Initial Design Conference;
- Develop and submit Design Workplan;
- Attend Progress Workshops with DCAMM, TRC and key stakeholders;
- Prepare Building Site Analysis (as required);
- Finalize Building Code Analysis;
- Coordinate with DCAMM's Accessibility team to ensure the building is designed to reflect Universal Design values, DCAMM best practices, and meets the intent and requirements of Title II of the ADA, the 2010 ADA Guidelines, and MAAB requirements;
- Evaluate Energy Conservation opportunities and conduct a Life Cycle Cost Analysis; the Life Cycle Cost Analysis will include review of all existing building systems (including those which have been determined to be past their useful life), as well as an analysis of all proposed systems in the new part of the building;
- Participate in Cost Estimating activities;
- Coordinate with the Construction Manager and the Commissioning Agent.

#### *Task 8 Deliverables:*

Schematic Design submission requirements are set for the in DCAMM's Designers Procedures Manual, and include further development of the preferred alternative deliverables as well as the following:

- **Design Premise:** Premise upon which the design scheme is based, including sketches which illustrate indoor and outdoor program functional relationships, access, and future expansion.
- **Commissioning Plan:** A scope of the commissioning services incorporated (provided by DCAMM).
- **Energy Modeling, Energy Conservation, LEED Plus and Life Cycle Cost Analysis:** An energy conservation scope plan, including existing and target energy use intensity (EUI) metrics.
- **Site plans:** Site plans of the project addressing impact of accessibility, zoning, context, utilities, environment, parking, drainage calculations, planting, and other related program criteria.
- **Floor plans–Spaces:** Floor plans of all levels identifying all program spaces.
- **Floor Plans–Levels:** Floor plans of all levels indicating the building's general mechanical, electrical, plumbing, and structural systems.
- **Floor Plans–Demolition and/or Current Conditions:** Demolition and/or existing conditions floor plans for all trades.
- **Site Relationship:** The Designer must submit four elevations from the main orientation points of view indicating the relationship to site configurations.
- **Floor Plans–Program Spaces and Site Configurations:** Two cross-sections with floor heights, including basement spaces identifying program spaces and relationship to site configurations.
- **Models–Architect's Studies:** A three-dimensional representation, axonometric, perspective drawing or an aerial photographic view of the building to convey the general massing of the project; a computer-generated model in context is preferable for use in BIM.
- **Outline of Specifications:** Preliminary outline of project specifications.
- **Floor Plans–Scales:** The plan, section, and elevation drawings shall be  $1/4" = 1'0"$ . If the building is large or irregular in shape and will not adapt to the use of match lines,  $1/8" = 1'0"$  scale may be approved for submission.

#### **Task 9: Certifiable Building Study Report**

The final task will include a final report, compiling and revisiting the products of Tasks 2-7 for review. A final report, including an executive summary and project narrative, is prepared and submitted for certification in required digital and hard copy formats, and includes all Schematic Design documents. Draft and final documentation of the study process shall include all drawings, tables, charts and narrative required to record decisions and support final design. The development of a finish model and final renderings of the preferred concept are also included in the final report.

An Appendix to the Final Report may include full copies of applicable assessments, room data sheets, full cost estimates, presentations, specifications, etc.

#### *Task 8 Deliverables:*

- **Certifiable Building Study Report:** a professional, detailed Study Report that includes all of the analyses, findings, and relevant background information, and serves as the basis for design. Documents are required to be submitted in hard copy and transmitted electronically in a format and software acceptable to DCAMM.
- **Executive Presentation of the project,** in summary form with accompanying visuals (such as PowerPoint), to be used in presentations to key stakeholders.

## SUPPORTING DOCUMENTS

The scope of work for this project is supported by the materials listed below, which are available for review and download on the Designer Selection Board website.

- **Floor Plans for Lynn District Court**  
<https://www.mass.gov/files/documents/2019/05/29/DSB19-22-Lynn-District-Court-Renovation-Stabilization-of-Courthouse.pdf>
- **Massachusetts Courts Capital Master Plan (2017)**  
<https://www.mass.gov/files/documents/2017/04/zp/capital-master-plan-draft-report.pdf>

## PROJECT REQUIREMENTS

### Affirmative Marketing

#### MBE/WBE Participation

In accordance with M.G.L. C.7C, §6 and Executive Orders 526, 559 and 565, **Division of Capital Asset Management and Maintenance (DCAMM)** has established a minimum combined MBE/WBE participation goal of 17.9% of the overall value of the study and final design contracts for this project. Applicants must utilize a mix of both MBE and WBE firms whose participation, when added together, meets the overall combined goal set for the Contract. The combined goal requires a reasonable representation of both MBE and WBE firm participation. The Combined MBE/WBE goal must be met within the list of requested prime and sub-consultants. All applicants must indicate in the prime firm's application how they or their consultants will meet these goals and will be evaluated on that basis.

Further information about the MBE/WBE Program appears in the "Participation by Minority Owned Businesses and Woman Owned Businesses," in the Commonwealth of Massachusetts Contract for Study, Final Design, and Construction Administration Services (October 2017) at Attachment C, and on the Supplier Diversity Office website: <http://www.mass.gov/sdo>. Applications from MBE and WBE firms as prime consultant are encouraged. Applicants that are themselves MBE or WBE certified will be required to bring a reasonable amount of participation by a firm(s) that holds the certification which is not held by the applicant to the project.

Proposed MBE/WBE participation plans that include solely MBE or solely WBE participation, or have only nominal participation by one or the other to meet the combined goal, will not be considered responsive. Applicants are strongly encouraged to utilize multiple disciplines and firms to meet the MBE/WBE goal. Consultants to the prime can team within their disciplines in order to meet the MBE/WBE goal, but must state this relationship on the organizational chart (Section 6 of the application form).

#### Additional Diversity Program:

##### **Veteran Owned Business Participation Benchmark - Chapter 108 of the Acts of 2012; Executive Order 565**

The Commonwealth encourages the participation of Service-Disabled Veteran-Owned Business Enterprises ("SDVOBE") and Veteran-Owned Business Enterprises ("VBE") on its design projects. The benchmark for combined SDVOBE and VBE participation on DCAMM and other Executive Branch agencies design projects is 3% of the contract price as set forth in the standard DCAMM Study and Design Contracts referenced above.

## Energy & Sustainability

### Executive Order 484: Leading by Example – Clean Energy and Efficient Buildings

Projects undertaken under this contract shall comply with all applicable requirements of Executive Order 484 (EO 484): see <http://www.mass.gov/anf/docs/dcam/dlforms/energy/energy-eo484-final.pdf>.

All building studies shall include preliminary estimates of the project's energy use, water use, and greenhouse gas emissions using protocols established by EOEA or as determined by DCAMM. No building study shall be certified for final design unless all means, methods, and commitments required to mitigate the project's impact on the operating agency's plan for meeting EO 484's goals are documented in the consensus solution, implementation plan and estimated construction cost.

### LEED Certification

If applicable, this project shall be certifiable at a level of Silver or higher, including Mass LEED Plus requirements. All measures proposed to achieve a LEED rating shall be incorporated into Final Design as part of the Designer's base fee; administration of the certification process by the Designer during the Final Design and Construction phases of the project will be considered an extra service.

## Universal Design/Accessibility

### Universal Design

Design solutions provided under this contract are expected to meet the diverse and changing needs of users across age, ability, language, ethnicity and economic circumstance. DCAMM welcomes innovative design strategies that are usable by the widest range of people operating in the widest range of situations without special or separate design.

### Accessibility

The consultant's design must comply, at a minimum, with 521 CMR, The Rules and Regulations of the Architectural Access Board (<http://www.mass.gov/ocabr/government/oca-agencies/dpl-lp/opsi/consumer-prot-and-bus-lic/license-type/aab/aab-rules-and-regulations.html>), as well as the 2010 ADA Standards for Accessible Design (<http://www.ada.gov/regs2010/2010ADASTandards/2010ADASTandards.htm>). When the requirements of these two laws differ, the consultant shall comply with the one that provides the greater degree of accessibility. The consultant is also expected to understand and reflect in its design the civil rights obligations of the Commonwealth under Title II of the Americans with Disabilities Act ([http://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm](http://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm)) to provide equal access to programs, services, activities and comply with ADA scope requirements for alteration of primary function areas, as applicable. DCAMM will utilize an expert third party, such as DCAMM's Statewide Accessibility Initiative, to provide technical assistance and oversight for accessibility compliance during the study, design and construction process, including accessibility audits of existing buildings.

## Policies & Procedures

### Financial Statement

Chapter 7C, Section 51 requires that on public design contracts where the total design fee is expected to exceed \$30,000 or for the design of a project for which the estimated construction cost is expected to exceed \$300,000 the designer shall:

- a) File its latest CPA or PA audited financial statement with the Division of Capital Asset Management and Maintenance (DCAMM), and continue to do so annually throughout the term of the contract;
- b) Submit a statement from a CPA or PA that states that they have examined management's internal auditing controls, and expresses their opinion regarding those controls.

## **DCAMM Procedures**

The designer will follow the procedures established in DCAMM's Designer Procedures Manual dated August 2008 (<https://www.mass.gov/files/documents/2017/12/19/designers-procedures-manual-aug08.pdf>). Applicants are urged to review and become familiar with the following supplemental material, which is available on the web at: (<http://www.mass.gov/dcam>).

## **Electronic Project Management Information Systems**

Consultants will be required to use DCAMM's electronic web-based project management information system as a repository for project correspondence, documentation, project budgeting, and scheduling. No special software is required.

## **Workshops**

DCAMM and the Designer will hold periodic workshops to ensure that critical issues are not overlooked and that all team members have an opportunity to contribute their expertise, to anticipate potential obstacles, to identify potential solutions, and to expedite the decision-making process. Attendance by key design team members will be required at all workshops.

## **Environmental and other supplemental services**

DCAMM reserves the right to obtain supplemental services through independent consultants who will collaborate with the Prime Firm and the Design Team. Asbestos inspection, design and monitoring, and indoor air quality testing and monitoring will be extra services under this contract.

## **Construction Specifications**

The designer shall utilize the DCAMM Standard Specification.

## **Cost Estimating**

Cost estimates, cost models, and estimator participation in both the study and the design phases shall meet the requirements of the current DCAMM Cost Estimating Manual and will be submitted in Unifmat II in the study phase and in both Unifmat II to Level 3 and CSI Masterformat in the design phase. The Cost Estimating Manual can be found at <https://www.mass.gov/files/documents/2017/12/19/cost-estimating-manual.pdf> and Unifmat II can be found at <http://fire.nist.gov/bfrlpubs/build99/PDF/b99080.pdf>.

## **Building Information Modeling (BIM)**

Building Information Modeling (BIM) will be used in the study, design, and construction phases of the project. The BIM List of Services can be found at <http://www.mass.gov/anf/docs/dcam/pubblgdgconstr/16-2-27-bim-list-of-services.pdf>. This List of Services document is a general statement of DCAMM's current requirements regarding the use of Building Information Modeling technology in agency projects. The specific requirements regarding use of the BIM will vary depending on the nature of the project, the Levels of Development delineated in the DCAMM approved BIM Execution Plan for the project, and the diverse purposes for which DCAMM will use the BIM during the life cycle of the facility from design through facility operations. In all instances, the language of the project contract(s) will be controlling.

## **Building Commissioning**

DCAMM will include an independent third-party building commissioning as part of this project. The Commissioning Agent will develop, in collaboration with DCAMM, an operations and maintenance plan as a reimbursable expense during the building commissioning phase. The commissioning agent will meet with DCAMM's design team during planning, design and construction to evaluate design proposals and make recommendations to ensure the maintainability and operational efficiency of the new building.

## CM at Risk

The construction of this project will be performed utilizing a construction management at-risk (CMAR, sometimes referred to as CM/GC) contract in accordance with MGL Chapter 149A. It is anticipated that the CM will be on board during the Schematic Design phase of the project.

## Integrated Project Delivery Approach/Lean Construction Tools

To the extent allowed under the Commonwealth public procurement laws and regulations, DCAMM may elect to use some aspects of an Integrated Project Delivery (IPD) approach, as generally described in the AIA document *Integrated Project Delivery: A Guide* (2007) – (see [http://info.aia.org/SiteObjects/files/IPD\\_Guide\\_2007.pdf](http://info.aia.org/SiteObjects/files/IPD_Guide_2007.pdf) for informational purposes). To the extent the IPD approach and/or Lean Construction Tools conflict with DCAMM's contract terms or the laws governing DCAMM, then the contract documents and laws shall take precedence. DCAMM's preliminary approach to IPD will use Construction Manager at Risk procurement with the goal that DCAMM, Client Agency, Designer, CM, Trade Partners, and other key stakeholders will work as an integrated project delivery team within the existing statutory and contractual frameworks.

DCAMM may elect to use Lean Construction Tools as part of the IPD project delivery approach. The Lean Tools that DCAMM may use in connection with the project include Value Stream Mapping, Set Based Design, Target Value Design, A3 Decision-making, and Last Planner™ - (see [http://www.leanconstruction.org/media/docs/LCI\\_Glossary12232015.pdf](http://www.leanconstruction.org/media/docs/LCI_Glossary12232015.pdf) for informational purposes).

# CONTRACT REQUIREMENTS

## Contract for Study, Final Design, and Construction Administration Services

DCAMM uses one standard *Contract for Study, Final Design and Construction Administration Services* (January 2019) ("Contract"). The Contract will be signed when the study services are procured. If this Advertisement indicates that the Schematic Design/Certifiable Building Study fee is to be negotiated, following successful fee negotiations, the Contract will be amended to incorporate a scope and fee for schematic design and certifiable study services. If study certification pursuant to M.G.L. c. 7C is completed, the Contract may be amended to incorporate the design and construction administration scope of services and fee. Designers awarded the Contract for Study and/or schematic design are not guaranteed to be awarded the Design Phase.

**Study Phase:** Pursuant to a recent revision to M.G.L. c. 7C Section 59, the Schematic Design will be included in the certified Study. DCAMM has established a goal of **eight (8) months** to complete a Study, including Schematic Design. If selected for study services, the applicant agrees to execute the Study/Design Contract or its successor, without revisions or modifications. DCAMM compensates the Designer during the Study Phase for approved products in accordance with the approved work plan.

**Design Phase:** DCAMM has established a goal of **ten (10) months** to complete design (DD and CD). At the conclusion of the study, if the applicant is requested by DCAMM to perform final design services, the applicant agrees to amend the Study/Design Contract's scope of services to include final design and construction administration services (Attachment G – Design Phase Scope of Services), and the certified study, and any other documents as necessary.

The Contract is available on the DCAMM website at:

<https://www.mass.gov/files/documents/2019/02/04/contract-for-study-final-design-and-construction-admin-services.pdf>

Also available is a template Design Phase Amendment, which includes Attachment G – Design Phase Scope of Services. <https://www.mass.gov/files/documents/2017/11/06/design-phase-amendment-to-contract-for-study-final-design-and-construction-admin-services.pdf>

## CONDITIONS FOR APPLICATION

The applicant's current or updated Master File Brochure must be on file with the Board prior to the date of application. As a condition of application, each applicant, if selected for the new project, agrees to carry professional liability insurance in an amount equal to the lesser of \$5,000,000 or 10% of the Project's Fixed Limit Construction Cost, but in no event less than \$250,000 per claim in accordance with the Design Contract (i.e., minimum coverage of \$250,000 up to \$5,000,000 depending on the construction cost).

## APPLICATION EVALUATION

Applications will be evaluated based on the DSB criteria for selection of semi-finalist and finalist appearing on the DSB website <https://www.mass.gov/files/documents/2018/12/19/criteria-for-selection-of-semi-finalists-and-finalists-160707.pdf>. The specific Personnel and Project Experience required is listed below.

### PERSONNEL

1. Architect (Prime Firm)
2. Mechanical Engineer (M/P/FP)
3. Electrical Engineer
4. Structural Engineer
5. Civil Engineer
6. Landscape Architect
7. Specifications Consultant
8. Cost Estimator
9. MA Building Code Consultant
10. Courts Strategic Planner
11. Security Planner

If a discipline listed above is required to be registered by the Massachusetts Division of Professional Licensure, Applicants and Consultants shall be registered in the Commonwealth of Massachusetts in their respective disciplines.

### PROJECT EXPERIENCE

Applications will be evaluated based upon the requirements of M.G.L. Ch. 7C §49 and the work listed on DSB Application Form Sections 8, 9 AND 10 which illustrate current qualifications and demonstrated experience in the following areas:

1. Demonstrated experience developing and implementing plans involving prioritization of capital improvements, evaluating project potential for renovation, reuse assessment, and determining alternative capital investment strategies.
2. Demonstrated experience in the design and renovation, by the Design Team, of comparable buildings and complexity of programming and system requirements. Prior work on courthouses is preferred, but is not required.
3. Demonstrated experience with Courts strategic planning and evolving best practices in courthouse planning programming and design, including technological transformations, restorative justice, and sustainable building operations.
4. Demonstrated experience with Chapter 149A projects (CM at risk).



## APPLICANTS PLEASE NOTE

Please use the latest [DSB Application Form \(Updated July 2016\)](#) and follow the [General Instructions for Filing Applications](#).

Application Update: Please submit One Original, with the Sub-Consultant Acknowledgement forms and SDO Certification letters (by mail or hand deliver) and please email an electronic copy of the application form (do not include the Sub-Consultant Acknowledgment forms and SDO Certification letters) to [applications.dsb@massmail.state.ma.us](mailto:applications.dsb@massmail.state.ma.us)

Applications that are incomplete will be rejected. Applications that are submitted on a form other than **DSB Application Form (Updated July 2016)** may be rejected as non-compliant and not be considered by the Board. Applications received at the DSB Office after the advertised deadline will not be considered.